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IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.NO. 3287 / 2006 **SINGLE B**

PETITIONER

P.R. No. 3346/06
Presented by Shri Gunja Das
dated 4/7/06

Sanjay DubeyS/o Shri Satanand Dubey, Food Inspector Aged about 45 years, , Food & Civil Supplies, Dharsiva Raipur; R/o Kanchan Ganga Colony, Phase-I Harishchandra Margi, Raipur District-Raipur (CG).

Versus

RESPONDENTS :

1) State of Chhattisgarh Through the Secretary, Food & Civi Supplies Department, DKS Bhawan, Raipur (CG).

2) The Director-cum-Specia Secretary, Secretary, Food & Civil Supplies Department State of Chhattisgarh, District Raipur (CG)

3) Prakash Sharma, Food Inspector, District-Sarguja (CG).

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CLERK to A.G. BILASPUR
4/7/06

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.3287/.. **सन्** 2006

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

6-7-2006

Mr. P. Diwaker, Senior Advocate with Mr. Adil Minhaj, Advocate for the petitioner.

Mr. Satish Gupta, Deputy Govt. Advocate for the State/respondents No.1 & 2, on advance copy.

Heard.

By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner has questioned the legality, propriety and correctness of the order dated 28-6-2006, whereby the petitioner, who is working as Food Inspector at Raipur, has been transferred to Raigarh.

The main challenge for transfer is that (i) the petitioner is the Office Bearer of the Association, therefore as per the Government instructions issued in the year 1994 by the erstwhile State of Madhya Pradesh, he should not have been transferred; (ii) only upto 10% employees can be transferred from one district whereas, in this case, more than 12% officials have been transferred; and (iii) the petitioner is working at Raipur since last four years, whereas number of persons shown in Annexure P-7 are working at various places ranging between 10 to 17 years.

Learned Senior Counsel for the petitioner submitted that the petitioner has already made representation, but copy of the same is not available.

Therefore, in the first instance, the petitioner is allowed to make a representation to respondent No.1 raising all his grievances along a copy of this writ petition within a period of 10 days from today and in turn, respondent No.1 shall decide the representation of the petitioner considering the grievances

XI-HC-78

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

raised by the petitioner within a period of four weeks from the date of its receipt, in accordance with law. Till the representation of the petitioner is decided, he should not be relieved, if he has already not been relieved.

With the directions aforesaid, the petition stands disposed of.

Consequently, M.(W.)P.No.2518/2006 and I.A.No.6468/2006 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Soma